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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/502,528	01/04/2005	Benedikt Aschermann	PI4957-US1	7480
27045	7590	02/11/2008		EXAMINER
ERICSSON INC.				NGUYEN, HAI V
6300 LEGACY DRIVE				
M/S EVR 1-C-11			ART UNIT	PAPER NUMBER
PLANO, TX 75024			2618	
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				02/11/2008
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				PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/502,528	ASCHERMANN, BENEDIKT	
Examiner	Art Unit		
Hai V. Nguyen	2618		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 26 July 2004.

2a)  This action is **FINAL**.                    2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-12 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-12 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 26 July 2004 is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 07/26/2004.

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_ .  
5)  Notice of Informal Patent Application  
6)  Other: \_\_\_\_\_ .

## **DETAILED ACTION**

1. This Office Action is in response to the application filed on 26 July 2004.
2. Claims 1-12 are presented for examination.

### ***Information Disclosure Statement***

3. The information disclosure statement filed on 26 July 2004 regarding to the document # WO9966751 A fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. Claim 3 recites the limitation "the intermediate coupling device" in claim 3. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by

**Golombek et al. US2005/0030915 A1.**

9. As to claim 1, Golombek discloses substantially the invention as in claimed, including a method for coupling each of one or more peripheral devices (*Fig. 3, elements 70, 190, 200*) to a network of distributed antennas (*Fig. 3, DBS antenna system element 80*), each peripheral device being suitable for transmission of one or more carrier signals (*Fig. 3, GSM and UMTS signals, [0048]*), which each occupy a different radio frequency band (*Fig. 16*), the network of antennas comprising a main transmission path by cable (*Fig. 3, DBS antenna system element 80*), in which the carrier signals are coupled into and out of the main transmission path from and to the peripheral devices respectively, comprising the steps of:

a) dividing the network of antennas into a first network and a second network comprising a first main transmission path part (*Fig. 13, GSM 1800 element 60*) and a second main transmission path part (*Fig. 3, DBS UMTS element 60*) of the main transmission path respectively; and

at a location (*Figs. 3, 9, element NCD 180*) between the first and second main transmission path parts:

- b) splitting the first main transmission path part into a first group of intermediate transmission paths for transmission of different carrier signals over different intermediate transmission paths of the first group (*Fig. 17, GSM 1800 uplink and downlink with shifted or intermediate frequencies, elements 420-404-213-432-410-203-402-412*);
- c) splitting the second main transmission path part into a second group of intermediate transmission paths for transmission of different carrier signals over different intermediate transmission paths of the second group (*Fig. 17, UMTS uplink and downlink with shifted or intermediate frequencies, elements 420'-404'-213-432-410-203-402'-412'*); and
- d) connecting an intermediate path of the second group to an intermediate path of the first group or to a further peripheral device (*Fig. 17, connecting to element antenna 200 or to the element TV 70*).

10. As to claim 2, Golombek discloses, wherein an intermediate path (*Fig. 17, path 404-213*) of the first group of intermediate paths is connected to an intermediate path (*Fig. 17, path 404'-213*) of the second group of intermediate paths (*Fig. 17, element 213 or element 203*).

11. As to claim 3, Golombek discloses, wherein an input of the intermediate coupling device for connection to the further peripheral device (*Fig. 9, port input connected to TV*

70) is connected to an intermediate path of the second group of intermediate paths or to an intermediate path terminating member (*Fig. 17, connecting to element antenna 200*).

12. Claim 4 corresponds to the system claim of claim 1; therefore, it is rejected under the same rationale as in claim 1.

13. Claims 5-6 have similar limitations of claims 2-3; therefore, they are rejected under the same rationale as in claims 2-3.

14. As to claim 7, Golombek discloses wherein the intermediate paths of the first and second groups of intermediate paths and the further peripheral device are connected to each other by remote controllable electronic switches (*Figs. 3, 15, elements 110, 120 converting or switching remotely all frequency signals*).

15. As to claim 8, Golombek discloses, wherein remote control of the electronic switches is exercised by control functionality of a peripheral device which is associated with the switch (*Figs. 3, 17, elements 432, 410 in element 190 associated with the element NCD 180*).

16. As to claim 9, Golombek discloses, wherein a first port (*Figs. 9, the element of port connected to the TV 70*) of circulator is connected to a first intermediate path, a second port (*Figs. 9, the element of port connected to/from DMDM 190*) is connected to a short circuit or to a further peripheral device, and a third port (*Figs. 9, the element of port connected to/from DBS cable system 80*) of the circulator is connected to a second intermediate path.

17. As to claim 10, Golombek discloses, wherein with a further peripheral device connected to the second port of circulator the further peripheral device provides a

matched load to said second port (*Figs. 3, 9, 17, matching frequency band for the communication TV 70*).

18. As to claim 11, Golombek discloses, wherein with a further peripheral device connected to the second port of circulator the further peripheral device is connected to said second port through an isolator which provides a matched load to said second port (*Figs. 3, 9, 17, matching frequency band for the communication TV 70*).

19. As to claim 12, Golombek discloses, wherein the isolator is a further circulator of which an intermediate or second port is terminated by a matched load (*Figs. 3, 9, 17, matching frequency band for the communication TV 70*).

20. Further references of interest are cited on Form PTO-892, which is an attachment to this action.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai V. Nguyen whose telephone number is 571-272-3901. The examiner can normally be reached on 6:00-3:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Anderson can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hai V. Nguyen  
Examiner  
Art Unit 2618



MATTHEW ANDERSON  
SUPERVISORY PATENT EXAMINER